

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RANKING SMITH,

Petitioner,

-v-

9:21-CV-1219

D. CHRISTENSEN, Warden,

Respondent.

APPEARANCES:

RANKING SMITH

Petitioner, Pro Se

1744-056

RAY BROOK FCI

P.O. Box 900

Ray Brook, NY 12977

OF COUNSEL:

HON. CARLA FREEDMAN

United States Attorney for the

Northern District of New York

Attorneys for Respondent

100 South Clinton Street

Syracuse, NY 13261

RANSOM P. REYNOLDS, ESQ.

Ass't United States Attorney

DAVID N. HURD

United States District Judge

ORDER ON REPORT & RECOMMENDATION

On November 10, 2021, *pro se* petitioner Ranking Smith (“petitioner”), an inmate in the custody of the Bureau of Prisons (“BOP”) at FCI Ray Brook in Ray Brook, New York, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Dkt. No. 1. Petitioner paid the filing fee. Thereafter, respondent opposed. Dkt. No. 6. Petitioner replied. Dkt. No. 8.¹

On October 21, 2024, Judge Dancks advised by Report & Recommendation (“R&R”) that the petition be denied and dismissed. Dkt. No. 11. Neither party has lodged objections, and the time in which to do so has expired. *See* Dkt. No. 11. Upon review for clear error, Judge Dancks’s R&R is accepted and will be adopted in all respects. *See* FED. R. CIV. P. 72(b).

Therefore, it is

ORDERED that

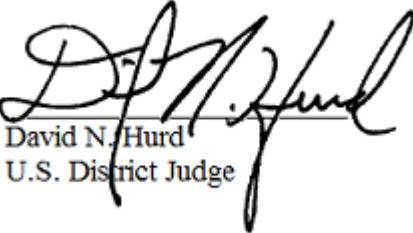
1. The Report & Recommendation (Dkt. No. 11) is ACCEPTED;
2. The petition is DENIED and DISMISSED; and
3. No Certificate of Appealability shall be issued.

The Clerk of the Court is directed to terminate the pending motion, enter a judgment accordingly, and close the file.

¹ Petitioner’s reply is docketed as a “traverse.” A “traverse” is the common law pleading term for a formal denial of the factual allegations in an opponent’s pleading. In the world of habeas, the terms “petition,” “return,” and “traverse” have historically been used to designate the briefing.

IT IS SO ORDERED.

Dated: November 13, 2024
Utica, New York.



David N. Hurd
U.S. District Judge